



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

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January 29, 2003

TO: Douglas B. MacDonald, Secretary
FROM: Marty Brown, Director
SUBJECT: Department of Transportation Reported Incident Does Not Merit Review

Pursuant to RCW 43.41.370 and the Guidelines For Reporting Incidents to the Office of Financial Management (OFM), the Department of Transportation (DOT) submitted an Incident Report notifying OFM that on August 12, 2002, a Maintenance Technician in the Northwest Region was killed while working on a mowing operation along SR 18. In addition to the law enforcement investigation, an Accident Review Board (Board) conducted an investigation and the DOT Work Zone Safety Task Force (WZSTF) is conducting a further review.

The Board, composed of WSP, DOT and L&I employees, concluded that the employees were performing the duties consistent with the safe work practices established by the DOT. The NW Region Area Four safety committee reviewed the work procedures. In addition, the WZSTF, met and discussed actions to improve safety for roadway workers. They are planning a Safety Stand Down to further evaluate workplace safety issues, where managers, supervisors and crews can assess the risks and brainstorm solutions that go beyond traditional measures.

RCW 43.41.370(1) requires the Director of OFM to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency unless the Director determines that the incident "does not merit review". Applying the criteria for loss prevention reviews, issued November 18, 2002, I have determined that the incident you reported does not merit review. Although there was a tragic death, and there have been other fatalities over time, changes have been made to reduce the risk of future occurrences. The DOT participated in a multi-agency review of this incident and through its WZSTF, is reviewing the incident and discussing actions that can reduce the risk of future incidents. The Safety Stand Down is another forum for employees of all levels to come together, discuss safety issues and develop recommendations. In addition, the Region safety committee reviewed this incident to determine if work procedures needed to be changed in their region. Given the current guidelines, the breadth of the internal and external reviews and the planned Safety Stand Down, it appears that an independent review would not reduce future risk further. Therefore, no further review is warranted.

This decision will be posted on the OFM website. If you have any questions about the criteria or its application to this incident, please contact either Roselyn Marcus at (360) 902-7396 or Gary Robinson at (360) 902-0528.

C: Bill Henselman, Risk Manager
Roselyn Marcus, Loss Prevention Review Team Manager